

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

IN RE:	:	Chapter 11
	:	
GROSSMAN'S, INC., et al.,	:	Bankr. Case Nos. 97-695-PJW
	:	97-696-PJW
	:	97-697-PJW
	:	
Debtors.	:	Adv. Proc. No. 07-51602-PJW
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JELD-WEN, INC., f/k/a	:	
Grossman's Inc.,	:	
	:	
Appellant,	:	
	:	
v.	:	Civil Action No. 08-427-JJF
	:	
MARY VAN BRUNT and	:	
GORDON VAN BRUNT,	:	
	:	
Appellees.	:	

O R D E R

WHEREAS, the Third Circuit reversed the Court's decision in the above-captioned action and remanded this matter to the Court for further proceedings in light of its decision to overrule Avellino & Bienes v. M. Frenville Co. (Matter of Frenville Co.), 744 F.2d 332 (3d Cir. 1984), which had been controlling precedent; see In re Grossman's Inc., -- F.3d --, 2010 WL 2181291 (3d Cir. June 2, 2010);

WHEREAS, in light of the Third Circuit's decision, this matter requires further proceedings in the Bankruptcy Court;

NOW THEREFORE, IT IS HEREBY ORDERED that the above-captioned action is REMANDED to the Bankruptcy Court for further findings

and/or proceedings consistent with the Third Circuit's decision.

June 29, 2010  
DATE

  
UNITED STATES DISTRICT JUDGE